

**From:** Lionel Artom-Ginzburg  
**To:** Microsoft ATR  
**Date:** 1/23/02 3:11pm  
**Subject:** Microsoft Settlement

Dear Department of Justice:

The proposed settlement with Microsoft is wholly unacceptable. It fails to remedy their illegal actions (a breakup of the company or loss of intellectual property rights on the offending products would be far more suitable), and places "restrictions" on them that they have already, with the release of Windows XP, ignored.

When I took Antitrust law two years ago, I was taught that Antitrust law was the mechanism which kept market competition honest, and that remedies for its violation must go to the source of the violation. The reason for the current suit was in part Microsoft's violation of an earlier consent decree. It is obvious that they do not take the law seriously, nor do they feel they have done anything wrong. (The sheer arrogance of attempting to appeal findings of fact was unbelievable.)

I suspect that because of the financial importance of the company to the American economy, the truly heinous acts they have committed are being ignored (you of all people should know how hard it is for a company to lose on rule of reason counts!). The state attorneys general are right-- there is nothing here that will prevent them from the same acts in the future. They've already started. Windows 2000, ME, and XP, all released since the initiation of the suit, have all continued the monopolization of the desktop and browser market.

The provisions of the Tunney Act permit citizens to comment on proposed settlements. As I'm in the midst of studying for the Pennsylvania Bar at the moment, I don't have time for a legal analysis of this settlement. But as a consumer and former computer consultant, aside from my law degrees, I know that I must speak against it.

Sincerely,

Lionel Artom-Ginzburg (JD, LLM, Temple University School of Law)  
1720 Spruce St. Apt. 8  
Philadelphia, PA 19103